

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JED WALLACE,
STREET RELATIONS, INC.

§

8

§

§

§

v. CIVIL ACTION NO. 1:25-cv-163

BLAKE LIVELY,

§

§

§

Defendant.

**PLAINTIFFS' NOTICE OF COURT'S ORDER GRANTING
MOTION TO DISMISS**

Plaintiffs Jed Wallace (“Wallace”) and Street Relations, Inc. (“Street”) (collectively, the “Wallace Defendants”) file this notice for the Court to be aware of Docket Entry 912 (the “Order”) in *Lively v. Wayfarer Studios, et al.*, 1:24-cv-10049-LJL (S.D.N.Y. November 5, 2025) (the “New York Litigation”).

Plaintiffs ask the Court to take judicial notice of the attached Order in the New York Litigation which (again) dismisses all of Blake Lively's claims (Seventh, Twelfth, and Fifteenth Causes of Action) against the Wallace Defendants without prejudice to refiling in a court that has personal jurisdiction. *See In re Deepwater Horizon*, 934 F.3d 434, 440 (5th Cir. 2019) (granting “motion to take judicial notice of the docket and complaint in” a district court case); *Brown v. Lippard*, 350 Fed. App'x 879, 883 n.2 (5th Cir. 2009) (taking judicial notice of the docket entry).

The Order granting the Wallace Defendants' motion to dismiss in the New York Litigation renders moot Lively's principal argument in her pending motion to dismiss—that the first-to-file rule demands dismissal. (Dkt. 26 at 12–14.) *See Apicore US LLC v. Beloteca, Inc.*, No. 2:19-CV-00077-JRG, 2019 WL 1746079, at *6 (E.D. Tex. Apr. 18, 2019) (denying defendant's request to transfer case to Northern District of Illinois under first-filed rule as moot where Northern District

of Illinois court dismissed the case before it); *Distromex S.A. de CV v. Basic Rsch., LLC*, No. SA-06-CA-0788-FB, 2006 WL 8434077, at *2 (W.D. Tex. Nov. 15, 2006) (“If [the first-filed] court determines that personal jurisdiction over [plaintiff before this Court] is lacking in [the first-filed court], the lawsuit before this Court will become the primary case.”).

Dated: November 5, 2025

Respectfully submitted,

JACKSON WALKER LLP

/s/ Tori C. Emery
Charles L. Babcock
Texas Bar No. 01479500
Joel Glover
Texas Bar No. 24087593
Tori Emery
Texas Bar No. 24126228
1401 McKinney, Suite 1900
Houston, TX 77010
(713) 752-4200
(713) 308-4110 [FAX]
cbabcock@jw.com
jglover@jw.com
temery@jw.com

Minoo Blaesche
Texas State Bar No. 24075102
Carl C. Butzer
Texas Bar No. 03545900
2323 Ross Avenue, Suite 600
Dallas, Texas 75206
(214) 953-6000
(214) 953-5822 [FAX]
mblaesche@jw.com
cbutzer@jw.com

Matt Dow
Texas Bar No. 06066500
Cody Lee Vaughn
Texas Bar No. 24115897
100 Congress Ave., Suite 1100
Austin, TX 78701
(512) 236-2000

(512) 391-2113 [FAX]
mdow@jw.com
cvaughn@jw.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of November, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system.

/s/ Tori C. Emery
Tori C. Emery